



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
LAW AND JUSTICE

Tuesday, February 27, 2018 9:00 a.m. Room 327 House Office Building

The House Standing Committee on Law and Justice was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati, Wittenberg.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of February 20, 2018. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

SB 801 (Jones)	Controlled substances; schedules; tianeptine sodium; include as a schedule 2 drug.
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Senator Jones testified in support of the bill. Questions and discussion followed.

Sgt. Matt Williams, representing the Michigan State Police, testified in support of the bill. Questions and discussion followed.

Alyssa Wood, representing herself, submitted written testimony in support of the bill.

Chairman Kesto laid the following bills before the committee:

HB 5017 (Lucido)	Crimes; other; cyberbullying; prohibit, and provide penalties.
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HB 5018 (Lucido)	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of cyberbullying; enact.
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Mike Pendy, representing the Prosecuting Attorneys Association of Michigan, submitted a card in support of the bills, but did not wish to speak.

Kimberly Buddin, representing the American Civil Liberties Union of Michigan, submitted a card with a neutral position on the bills, but did not wish to speak.

Representative Lucido moved to adopt substitute (H-2) to HB 5017. The motion prevailed, the

vote being 11-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: None.

Representative Lucido moved to report out HB 5017, with recommendation, as substitute (H-2). The motion prevailed, the vote being 10-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: Rep. Howrylak.

Representative Lucido moved to adopt substitute (H-1) to HB 5018. The motion prevailed, the vote being 11-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: None.

Representative Lucido moved to report out HB 5018 with recommendation, as substitute (H-1). The motion prevailed, the vote being 10-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: Rep. Howrylak.

Chairman Kesto laid the following bill before the committee:

HB 5278 (Neeley)	Crime victims; rights; Michigan domestic and sexual violence prevention and treatment board; codify.
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Representative Neeley and his intern, Nathan Kelps, testified together in support of the bill. Questions and discussion followed.

Chairman Kesto laid the committee at ease, the time being 9:26 a.m.

Chairman Kesto called the committee back to order, the time being 9:31 a.m.

Chairman Kesto returned to HB 5278.

Gail Krieger, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board, testified in support of the bill. Questions and discussion followed.

Chairman Kesto laid the following bill before the committee:

HB 5499 (Lucido)	Law enforcement; employment; reinstatement of law enforcement officer license; provide for under certain circumstances.
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Representative Lucido; Scott Underwood, representing the Waterford Township Police Department; and Stan Muszynski, representing himself, testified together in support of the bill. Questions and discussion followed.

The following people submitted a card in opposition to the bill, but did not wish to speak:

Stephani Johnson, representing the Michigan Association of Chiefs of Police.
Blaine Koops, representing the Michigan Sheriffs' Association.

Timothy Bourgeois, representing the Michigan Commission on Law Enforcement Standards, submitted a resolution in opposition to the bill.

Chairman Kesto laid the following bills before the committee:

HB 5530 (Theis)	Crimes; criminal sexual conduct; individual convicted of or juvenile adjudicated for criminal sexual conduct; prohibit from returning to the same school building as victim.
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HB 5531 (Theis)	Education; discipline; provision related to suspension or expulsion of a student; modify.
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HB 5532 (Santana)	Civil procedure; personal protection orders; criminal sexual conduct; prohibit abuser from attending same school as minor victim.
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The following people submitted a card in support of the bills, but did not wish to speak:

Alan Cropsey and John Lazet, representing the Michigan Attorney General Bill Schuette.
Emily Laidlaw, representing the ESA Legislative Group.

Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence, submitted a card in support of HB 5530 and HB 5531, but did not wish to speak.

The following people submitted a card in support of the HB 5531, but did not wish to speak:

Lisa Hansknecht, representing the Oakland Schools.

Jennifer Smith, representing the Michigan Association of School Boards.
Bob Kefgen, representing the Michigan Association of Secondary School Principals.
Caroline Liethen, representing the Michigan Department of Education.

Representative Theis moved to adopt substitute (H-1) to HB 5530. The motion prevailed, the vote being 11-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: None.

Representative Liberati offered the following amendment to HB 5530 (H-1):

1. Amend page 1, line 3, by striking out "**SHALL**" and inserting "**MAY**".

Representative Liberati moved to adopt the amendment to the bill. The motion prevailed, the vote being 10-2-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Reps. Theis, Robinson.

Pass: None.

Representative Theis moved to report out HB 5530 with recommendation, as amended, as substitute (H-2). The motion prevailed, the vote being 11-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: None.

Representative Theis moved to adopt substitute (H-1) to HB 5531. The motion prevailed, the vote being 11-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: None.

Representative Theis moved to report out HB 5531 with recommendation, as substitute (H-1). The motion prevailed, the vote being 9-1-2.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Guerra, Liberati.

Nays: Rep. Robinson.

Pass: Reps. Chang, Wittenberg.

Representative Theis moved to report out HB 5532 with recommendation. The motion prevailed, the vote being 11-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: None.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 10:12 a.m.

Representative Klint Kesto, Chair_____

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